



**Public Notice of EPA's Intent to Issue a Hazardous Waste Permit to
Union Carbide Caribe, LLC in Penuelas, Puerto Rico
EPA ID Number: PRD980594618**

Public Notice Number: PR-2002-05

Date: September 18, 2002

The U.S. Environmental Protection Agency (EPA) is giving notice to the public that it intends to issue a permit under the Resource Conservation and Recovery Act (RCRA) to **Union Carbide Caribe, LLC**, a wholly-owned subsidiary of Dow Chemical Corporation, for its facility located at Road 127, Km. 17.3 in Penuelas, Puerto Rico. The permit would allow the facility to continue to operate two units on its property that manage hazardous waste, and to close 13 other units that were formerly used to manage hazardous waste. A closure plan for one of these units, the West Aeration Basin, has not yet been developed, but will be developed under this proposed permit. Union Carbide Caribe operated this petrochemical facility, which produced a variety of chemical products, from 1959 to 1985, and is in the process of closing the entire facility.

Interested members of the public are invited to provide comments on the proposed permit and all attachments, including the closure plans, post-closure plans, closure certifications, and "no further action determinations." These include: proposed closure plans and post closure plans for the two hazardous waste management units (HWMUs) that are currently operational (closure would be conducted when the units stop operating); revised closure plans to complete closure at ten HWMUs that are partially closed; closure certification reports for two closed units; and proposed "No Further Action" final determinations for seventeen Solid Waste Management Units (SWMUs). "No further Action" means that the units do not pose a significant risk to the environment or human health under current land use, and require no cleanup. EPA's permit would also require Union Carbide Caribe to monitor the groundwater and perform cleanup (corrective action) of the soils and/or groundwater at areas already impacted by contamination.

A previous Public Notice for the proposed RCRA permit for this facility, issued as Number PR-02-2001, was issued on June 18, 2001. The Public Notice is now being re-issued because of some significant changes.

If EPA were to grant the permit, its terms would be in effect for 10 years. However, EPA would review the permit provisions relating to land disposal five years after the date of permit issuance and could modify those provisions at that time as necessary.

The public may review documents relating to the proposed Draft Permit, a fact sheet, and all plans, certificates, no further action determinations, and supporting data and documents, at the following locations:

Puerto Rico Environmental Quality Board (EQB)
National Plaza Building
431 Ponce de Leon Avenue
Hato Ray, Puerto Rico

Please call Mr. Osvaldo Fantauzzi at (787) 766-2817 to inspect the material at EQB.

U.S. Environmental Protection Agency
Caribbean Environmental Protection Division (CEPD)
Centro Europa Building
1492 Ponce de Leon Avenue, Suite 417
Santurce, Puerto Rico

Please call Mr. Daniel Rodriguez at (787) 977- 5849 to inspect the material at EPA's CEPD office.

U.S. Environmental Protection Agency, Region 2
RCRA File Room
290 Broadway, Floor 15
New York, NY 10007-1866

To inspect the material at EPA's offices in New York, please contact Mr. David Abrines at (212) 637-3043.

The public may submit written comments and may also request in writing that a public hearing be held on this matter. The request must state the issues proposed to be raised at a hearing. Both written comments and requests for a hearing must be postmarked no later than **forty five (45) days from the date of this notice**, and be addressed to:

Acting Chief
RCRA Programs Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, Floor 22
New York, NY 10007-1866

After the close of the public comment period, EPA, in reaching its decision whether to grant the permit to modify certain requirements or to deny the permit, will consider all comments from the public hearing, if one is held or those it receives that are postmarked within forty five (45) days from the date of this notice. EPA will send written notice to any person who submitted comments on the Draft permit of its final permit decision. Within 30 days of EPA's final decision, any person who submitted comments may petition the Environmental Appeals Board to review the final decision based on his/her comments. In its notice of its final permit decision, EPA will advise how petitions may be submitted to the Environmental Appeals Board. Persons who did not submit comments on the draft permit may only appeal changes made to the draft permit in the final permit approved by EPA.

For additional details regarding EPA's permitting process, please consult the regulations set forth at 40 C.F.R. Part 124.